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FILED

April 22, 2003

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Hakima Bey-Lawson
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
OAL DOCKET NO. BDS-9657-02

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action

JOSE A. LOPEZ, M.D.
License No, MA56828

**CONSENT ORDER
OF VOLUNTARY SURRENDER**

TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Medical Examiners [hereinafter the "Board"]) by way of Verified Administrative Complaint filed on August 9, 2002, by David Samson, Attorney General of New Jersey, Hakima Bey-Lawson, Deputy Attorney General appearing. The Complaint and accompanying documents sought emergent relief by way of temporary suspension of license pursuant to N.J.S.A. 45:1-22, and requested disciplinary sanctions against Jose A. Lopez, M.D. (hereinafter the "Respondent") based upon allegations that Respondent, through his surgical treatment of six patients, exhibited a pattern of gross and repeated negligence and

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multiple deviations from the Board rules pertaining to surgical practice in **physician** offices. Respondent filed an Answer to the Complaint on August 28, 2002, in **which** he denied the allegations of the Complaint rendering the matter a **contested** case as defined by N.J.S.A. 52:14B-1, et seq.

Following a hearing on the **Attorney** General's application for emergent **relief**, the Board **entered an** Order of Temporary Suspension on October 8, 2002, which restricted respondent from engaging in the practice of medicine and surgery pending a plenary hearing. Thereafter, the Board transmitted the **matter to** the Office of Administrative Law for a plenary hearing. A hearing was scheduled to **commence** on May 5, 2003, before the Honorable Ken R. Springer, A.L.J., at the Office of Administrative Law in Newark, New Jersey.

The respondent desiring to terminate **these** proceedings, and the Board finding the within Order adequately protective of the public health, safety and welfare, for the reasons **expressed** herein and other good cause having been shown,

IT IS on this 22nd day of April, 2003

ORDERED AND AGREED:

1. Respondent, Jose A. Lopez, M.D., is hereby granted leave to voluntarily surrender his license to practice medicine and surgery in the State of New Jersey. Respondent shall promptly arrange for delivery of his engrossed license and of his current biennial registration to the Board. Respondent shall observe the provisions

of the directives to any licensee whose surrender of licensure has been accepted by the Board, a copy of which is attached hereto and made a **part** of the within Order. Said voluntary surrender has the effect of a revocation pursuant to N.J.S.A. 45:1-21.

2. Respondent shall pay all costs and attorneys' fees of **the** Board **in** the amount of \$32,541.56.

3. Said costs and attorneys' **fees** shall be memorialized in a Certificate of Debt duly recorded in the State of New Jersey, and paid **by** respondent in twenty four (24) monthly installments of one thousand three hundred **ninety** eight **dollars** and sixty five cents (\$1,398.65), including the statutory interest rate of three percent (3.0%), pursuant to the provisions of R. 4:42-11 and shall be paid on **or** before the first (1st) day of each month, **commencing** May 1, 2003, and ending no later than April 1, 2005. The total amount to be paid by **the** respondent under the terms of this Order is \$33,567.64, which includes interest in the amount of \$1,026.64. Any failure by the respondent to make payments under the terms of this Order shall accelerate the respondent's total debt to **the** Board.

4. Said payments for costs and attorneys' fees shall be made by certified check or money order and **made** payable to the Board of Medical Examiners. Said payments shall be submitted to William Roeder, Executive Director of the Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183.

5. This Consent Order being entered into is without findings of fact or conclusions of law by way of settlement between the parties.

6. This Consent Order **resolves** all issues that arose in connection with the allegations **made by** the Attorney General in the **Verified Complaint** filed in the within matter.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

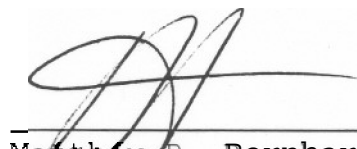
By: William V. Harrer, M.D., B.L.D.
President

I have read and understood the within Order and **agree to** be bound by its contents. Consented to as to form and entry.



Jose A. Lopez, M.D.

Consented to as to form and entry



Matthew B. Bernhard, Esq.